

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Joe Balyeat, on April 7, 2011 at 9:00 AM, in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chairman (R)
Sen. Verdell Jackson, Vice Chairman (R)
Sen. Tom Facey (D)
Sen. Frederick (Eric) Moore (R)
Sen. Carmine Mowbray (R)
Sen. Donald J. Steinbeisser (R)
Sen. Mitch Tropila (D)
Sen. Gene Vuckovich (D)

Members Excused: Sen. Sharon Stewart-Peregoy (D)
Sen. Bruce Tutvedt (R)
Sen. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Linda Keim, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 274, 4/5/2011; SR 26, 4/5/2011

Executive Action: SR 26, Be Adopted; HB 188, HB 577 Be Concurred In; HB 186, HB 283, Be Concurred In As Amended; HB 274, Tabled.

HEARING ON HB 274

Opening Statement by Sponsor:

00:01:18 Rep. David Howard (R), HD 60, opened the hearing on HB 274. Provide that employment of an unauthorized alien is unlawful.

[EXHIBIT\(bus78a01\)](#)

[EXHIBIT\(bus78a02\)](#)

00:08:25 Sen. Stewart-Peregoy entered.

Proponents' Testimony:

00:10:25 Roger Nummerdor, self

Opponents' Testimony:

00:13:00 Pat Keim, Columbia Grain Incorporated (CGI)

00:18:09 Deborah Smith, Attorney, American Immigration Lawyer's Association (AILA)

00:24:32 Jamee Greer, Montana Human Rights Network (MHRN)

Informational Testimony: None

Questions from Committee Members and Responses:

00:24:57 Sen. Jackson
00:26:37 Rep. Howard
00:28:59 Sen. Tropila
00:29:04 Ms. Smith, attorney
00:32:44 Sen. Tropila
00:35:30 Rep. Howard
00:35:51 Sen. Tropila
00:36:32 Mr. Keim, CGI
00:36:43 Sen. Mowbray
00:39:36 Ms. Smith
00:42:30 Sen. Tropila
00:43:05 Mr. Greer, MHRN
00:45:26 Chairman Balyeat
00:48:40 Rep. Howard
00:49:34 Sen. Moore
00:49:57 Rep. Howard
00:50:14 Sen. Moore
00:50:20 Ms. Smith

Closing by Sponsor:

00:51:44 Rep. Howard

00:59:27 Recess

01:03:31 Resume

HEARING ON SR 26

Opening Statement by Sponsor:

01:03:45 Sen. Tom Facey (D), SD 48, opened the hearing on SR 26. Confirm certain Governor's appointments.

Proponents' Testimony:

01:04:36 Patti Keebler, Office of the Governor

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:05:26 Chairman Balyeat

01:05:32 Sen. Facey

Closing by Sponsor:

01:06:23 Sen. Facey

01:06:40 Chairman Balyeat

EXECUTIVE ACTION ON SR 26

01:07:14 **Motion/Vote:** Sen. Facey moved that **SR 26 BE ADOPTED**. Motion carried unanimously by voice vote. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 188

01:08:10 **Motion:** Sen. Facey moved that **HB 188 BE CONCURRED IN**.

Discussion:

01:08:29 Chairman Balyeat

01:08:31 Sen. Facey

01:09:10 Ms. Murdo

01:09:38 Chairman Balyeat

01:10:40 **Vote:** Motion carried 9-2 by roll call vote with Sen. Balyeat and Sen. Moore voting no. Sen. Tutvedt and Sen. Windy Boy voted by proxy. Sen. Facey will carry the bill.

EXECUTIVE ACTION ON HB 186

01:11:56 **Motion:** Sen. Facey moved that **HB 186 BE CONCURRED IN**.

01:12:05 **Motion:** Sen. Facey moved that **HB 186 BE AMENDED.**
EXHIBIT(bus78a03)

Discussion:

01:13:07 Sen. Facey
01:14:52 Sen. Moore
01:15:08 Sen. Tropila, without objection, requested comments from Mr. Worthington
01:15:22 Bob Worthington, Montana Contractors Compensation Fund
01:16:25 Ms. Murdo

01:16:45 **Vote:** Motion carried unanimously by voice vote. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

01:17:01 **Motion:** Sen. Facey moved that **HB 186 BE CONCURRED IN AS AMENDED.**

Discussion:

01:17:15 Sen. Facey
01:17:51 Chairman Balyeat
01:19:37 Sen. Mowbray
01:19:52 Sen. Facey
01:20:40 Sen. Stewart-Peregoy
01:21:55 Sen. Steinbeisser

01:22:20 **Vote:** Motion carried 9-2 by roll call vote with Sen. Balyeat and Sen. Steinbeisser voting no. Sen. Tutvedt and Sen. Windy Boy voted by proxy. Sen. Facey will carry the bill.

EXECUTIVE ACTION ON HB 577

01:23:59 **Motion:** Sen. Moore moved that **HB 577 BE CONCURRED IN.**

Discussion:

01:24:20 Chairman Balyeat
01:27:05 Sen. Facey, without objection, requested comments from Mr. Griffin
01:27:09 Brad Griffin, Montana Retail Association
01:30:57 Sen. Vuckovich
01:31:38 Chairman Balyeat
01:31:45 Sen. Mowbray
01:32:11 Sen. Steinbeisser
01:32:35 Sen. Stewart-Peregoy
01:34:15 Sen. Tropila
01:34:36 Chairman Balyeat
01:34:46 Sen. Tropila

01:35:21 **Vote:** Motion carried 6-5 by roll call vote with Sen. Facey, Sen. Stewart-Peregoy, Sen. Tropila, Sen. Vuckovich and Sen. Windy Boy voting no. Sen. Tutvedt and Sen. Windy Boy voted by proxy. Sen. Moore will carry the bill.

EXECUTIVE ACTION ON HB 283

01:36:50 Ms. Murdo
01:37:17 Chairman Balyeat

01:38:05 **Motion:** Sen. Mowbray moved that **HB 283 BE CONCURRED IN.**

Discussion:

01:38:19 Ms. Murdo
01:40:23 Chairman Balyeat
01:40:43 Ms. Murdo
01:40:54 Sen. Stewart-Peregoy
01:43:53 Chairman Balyeat
01:45:29 Sen. Vuckovich
01:47:06 Ms. Murdo

EXHIBIT(bus78a04)

01:48:17 Chairman Balyeat
01:48:19 Sen. Mowbray

01:50:31 **Motion:** Sen. Jackson moved that **HB 283 BE AMENDED.**

EXHIBIT(bus78a05)

Discussion:

01:51:03 Ms. Murdo

01:51:54 **Vote:** Motion carried 9-2 by roll call vote with Sen. Tropila and Sen. Vuckovich voting no. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

01:52:52 **Motion:** Sen. Jackson moved that **HB 283 BE CONCURRED IN AS AMENDED.**

Discussion:

01:53:17 Sen. Tropila
01:54:07 Chairman Balyeat
01:55:02 Sen. Mowbray

01:55:41 **Vote:** Motion carried 6-5 by roll call vote with Sen. Facey, Sen. Stewart-Peregoy, Sen. Tropila, Sen. Vuckovich and Sen. Windy Boy voting no. Sen. Tutvedt and Sen. Windy Boy voted by proxy. Sen. Tutvedt will carry the bill.

EXECUTIVE ACTION ON HB 274

01:57:15 **Motion:** Sen. Facey moved that **HB 274 BE CONCURRED IN.**

01:57:30 **Motion:** Sen. Facey moved that **HB 274 BE TABLED.**

01:57:34 Sen. Facey **WITHDREW** his **MOTION TO TABLE.**

Discussion:

01:58:01 Sen. Jackson
01:58:41 Sen. Mowbray
01:59:06 Ms. Murdo
01:59:22 Sen. Moore
02:00:10 Sen. Steinbeisser
02:00:33 Sen. Mowbray

02:02:09 **Vote:** Motion failed 4-7 by roll call vote with Sen. Jackson, Sen. Mowbray, Sen. Steinbeisser and Sen. Tutvedt voting aye. Without objection, Chairman Balyeat moved to reverse and **TABLE**.

02:03:44 Ms. Murdo
02:03:56 Sen. Facey

EXHIBIT(bus78a06)

Note: Exhibit 6 pertains to a workshop at Montana State Fund for anyone who is interested.

02:05:18 Chairman Balyeat

ADJOURNMENT

Adjournment: 11:10 A.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([bus78aad.pdf](#))